

Appl. No. : 10/688,614 Confirmation No. 2439  
Applicant : Warren et al.  
Filed : October 17, 2003  
TC/A.U. : 3628  
Examiner : Igor N. Borissov  
Docket No. : ETG:1003  
Customer No. : 34725

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

In response to the Notice of Non-Compliant Amendment mailed on October 31, 2007, applicant respectfully submits that: (1) the Notice was predicated solely on the revised rules of practice ("Claims and Continuations Final Rule") that were to be effective on November 1, 2007; (2) the USPTO was enjoined from implementing the changes in the Claims and Continuations Final Rule by the United States District Court for the Eastern District Court of Virginia on October 31, 2007; and (3) the amendment filed on August 9, 2007 was fully responsive to the Office Action mailed on July 9, 2007 and complies with the rules of practice currently in effect. As a result, applicant respectfully submits that the Notice of Non-Compliant Amendment is moot and requests reconsideration of the previously filed amendment under the rules of practice currently in effect. Applicant will comply with the Claims and Continuations Final Rule when and if it becomes effective.

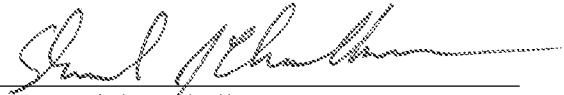
Appl. No. 10/688,614  
Amdt. dated Nov. 8, 2007  
Reply to Notice of Non-Compliant Amdt. of Oct. 31, 2007

For the reasons set forth above, applicant respectfully requests reconsideration by the examiner. Applicant submits that claims 1-19, 30-49 and 66-84 are fully patentable. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the examiner has any questions or comments, or if further clarification is required, it is requested that the examiner contact the undersigned at the telephone number listed below.

Date: November 8, 2007

Respectfully submitted,

CHALKER FLORES, LLP

By 

Daniel J. Chalker  
Reg. No. 40,552  
Tel.: (214) 866-0001  
Fax: (214) 866-0010

2711 LBJ Frwy, Suite 1036  
Dallas, Texas 75234